

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

UNITED STATES OF AMERICA

v.

LEOBARDO LARA

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No. 08 CR 50017-5
Judge Frederick J. Kapala

**AGREED MOTION TO MODIFY CONDITIONS OF PRE-TRIAL RELEASE TO PERMIT
DEFENDANT TO TRAVEL TO KENOSHA AND WALWORTH COUNTIES, WISCONSIN
FOR EMPLOYMENT PURPOSES**

NOW COMES Defendant, Leobardo Lara and respectfully requests that this honorable court modify condition (7)(i) of this Court's Order setting conditions of Defendant's release , entered April 2nd, 2008, to permit the Defendant to engage in day travel to various job sites in Kenosha and Walworth Counties, Wisconsin and in support thereof states as follows:

1. That Defendant is employed by Rico Brothers Landscaping Services, Inc. a landscaping company wholly owned and operated by the Defendant.
2. That the territory normally serviced by Defendant's business is northern Illinois and southern Wisconsin, more specifically the counties of Cook, Lake, McHenry in Illinois and the counties of Kenosha and Walworth in Wisconsin.
3. That in order for the Defendant to meet his business and living expenses, including the salaries of his employees it is essential that the Defendant be able to take all landscaping jobs available during the summer and fall months in the aforementioned geographical areas.
4. That the Defendant currently has 3 potential jobs available in Kenosha and Walworth counties which require the Defendant to be able to initially travel to the sites to prepare

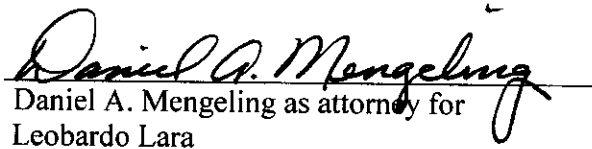
an estimate and if he gets the job to be able to travel to the job site on a daily basis until the job is completed.

5. That the Defendant respectfully requests that this Court modify condition (7)(i) of his conditions of release for the sole purpose of allowing Defendant to travel to job sites in the Wisconsin' counties of Walworth and Kenosha, which are outside of the Northern District of Illinois.

6. That Defendant will provide his pre-trial services officer with a copy of the written estimate/contract for any job and according to the officer's instructions any additional information requested.

7. That the Government has been contacted by Defendant's counsel and has no objection to the granting of the Motion as long as it is approved by the Pre-Trial Services Officer and the Court enters the appropriate order. That based on this representation the Defendant is filing this Motion as an agreed motion and requesting the pre-trial services officer t by letter, a copy of which is attached hereto as Exhibit A, to submit a short memo regarding the Defendant's current status of compliance with his conditions of his release and the Officers position regarding the requested modification of Defendant's conditions of release.

8. That the Defendant respectfully requests that the Court rule upon this Motion upon receipt the pre-trial service officer's response.


Daniel A. Mengeling as attorney for
Leobardo Lara

Law Offices of Daniel A. Mengeling
2030 N. Seminary Ave.
Woodstock, IL 60098
815-338-6906

**LAW OFFICES OF
DANIEL A. MENGELING
ATTORNEY AT LAW**

Office
815-338-6906
Cell
815-529-7204

2030 N. SEMINARY AVE. (ROUTE 47)
Woodstock, IL 60098

Fax
(815) 338-6906
E-mail
johnnylaw92044-office@yahoo.com

August 21, 2008

Ms. Olga I. Serrano
Senior U.S. Pretrial Services Officer
U.S. Pre-Trial Services
219 South Dearborn
Room 1500
Chicago, IL 60604
Via Mail & Fax
312.435.5545 Fax

Re: U.S. v. Leobardo Lara et. al.
08 CR 50017-5

Dear Ms. Serrano,

I have enclosed a Motion to Amend the conditions of Mr. Lara's release to allow him to service customers in the counties of Walworth and Kenosha in Wisconsin. The Government has indicated that it has no objection as long as you have no objection.

Judge Mahoney has indicated that before ruling on the motion he wants a memo from you regarding the status of Mr. Lara's current compliance with the conditions of his bond, your position on allowing the requested modification, and any special provisions you believe should be in a modified order. Based on the message on your phone I understand you may be out of the office until August 25th, 2008. I would appreciate a response at your earliest convenience upon your return. Please call if you have any questions. Awaiting your response, I remain

Very Truly Yours,


Daniel A. Mengeling

"EXHIBIT A."